

# Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
(Insert Title) NEW GROWTH/DIFFERENTIATION FACTOR OF THE TGF- $\beta$  FAMILY  
the specification of which

(Check one  
of blocks  
1, 2 or 3.  
See note A  
on back of  
this page)

1. ☐ is attached hereto.
2. ☐ was filed on \_\_\_\_\_ as  
International PCT Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)
3. ☒ was filed on August 10, 1994  
as U.S. Application Serial No. 08/288,508  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed:

	P 43 26 829.3	DE	10/8/93	Priority Claimed
(List prior foreign applications. See note B on back of this page)	(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	P 44 18 222.8	DE	25/5/94	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	
	P 44 20 157.5	DE	9/6/94	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

(See Note C on back of this page)

☐ See attached list for additional prior foreign applications

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

(List prior U.S. Applications or PCT International applications designating the U.S.)

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; Martin S. Postman, Reg. No. 18,570; E. Marole Emas, Reg. No. 32,131; Michael G. Gilman, Reg. No. 19,114; Douglas H. Goldhush, Reg. No. 33,125; Kevin C. Brown, Reg. No. 32,402; Monica Chin Kitts, Reg. No. 36,105; Sharon L. Nolan, Reg. No. 36,335, and John R. Fuisz, Reg. No. 37,327.

Please direct all communications to the following address: **NIKAIDO, MARMELESTEIN, MURRAY & ORAM**  
Metropolitan Square  
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby  
Washington, D.C. 20005-5701  
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note D  
on back of  
this page)

Full name of sole or first inventor Gertrud HÖTTEN  
Inventor's signature *Gertrud Höttten* 29.9.1994  
Residence D-69245 Bammental, Germany Date  
Citizenship German  
Post Office Address Weihwieschenweg 17, D-69245 Bammental, Germany

Inventor's signature Helge Neidhardt 1. Oct. 98  
Residence D-35041 Marburg, Germany Date  
Citizenship German  
Post Office Address Birkenweg 7, D-35041 Marburg, Germany

Full name of third joint inventor, if any Michael PAULISTA  
Inventor's signature Michael Paulista 29.9.1998  
Residence D-69181 Leimen, Germany Date  
Citizenship German  
Post Office Address Wingerstr. 10 D-69181 Leimen

Full name of fourth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Residence \_\_\_\_\_ Date  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of fifth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Residence \_\_\_\_\_ Date  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of sixth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Residence \_\_\_\_\_ Date  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of seventh joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Residence \_\_\_\_\_ Date  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of eighth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Residence \_\_\_\_\_ Date  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Full name of ninth joint inventor, if any \_\_\_\_\_  
Inventor's signature \_\_\_\_\_  
Residence \_\_\_\_\_ Date  
Citizenship \_\_\_\_\_  
Post Office Address \_\_\_\_\_

664220 0349360

## U.S. ASSIGNMENT

IN CONSIDERATION of the sum of One Dollar (\$1.00), and of other good and valuable consideration paid to the undersigned inventor(s) (hereinafter ASSIGNOR) by

Biopharm Gesellschaft zur biotechnologischen

Entwicklung von Pharmaka mbH

Czernyring 22, D-69115 Heidelberg, Germany

(hereinafter ASSIGNEE), the receipt of which is hereby acknowledged, the undersigned ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the entire and exclusive right, title and interest to the invention entitled

NEW GROWTH/DIFFERENTIATION FACTOR OF THE TGF- $\beta$  FAMILY

for which application for Letters Patent of the United States was executed on even date herewith unless otherwise indicated below:

\*filed on August 10, 1993, 1994, Serial No. 08/288,508

(Nikaido, Marmelstein, Murray & Oram is hereby authorized to insert the serial code, serial number and/or filing date hereon, when known) and all Letters Patent of the United States to be obtained therefor on said application or any continuation, division, renewal, substitute, reissue or reexamination thereof for the full term or terms for which the same may be granted.

The ASSIGNOR agrees to execute all papers necessary in connection with application and any continuing, divisional, reissue or reexamination applications thereof and also to execute separate assignments in connection with such applications as the ASSIGNEE may deem necessary or expedient.

The ASSIGNOR agrees to execute all papers necessary in connection with any interference, litigation, or other legal proceeding which may be declared concerning this application or any continuation, division, reissue or reexamination thereof or Letters Patent or reissue patent issued thereon and to cooperate with the ASSIGNEE in every way possible in obtaining and producing evidence and proceeding with such interference, litigation, or other legal proceeding.

IN WITNESS WHEREOF, the undersigned inventor(s) has (have) affixed his/hor/their signature(s).

[Insert  
ASSIGNEE's  
Name(s)  
Address(es)]

[Title of  
Invention]

[\*If the assignment  
is being filed  
after the  
filing of the  
application, this  
section must be  
completed]

[Signature(s)]

Gertrud Höttin  
(SIGNATURE)

Gertrud HÖTTEN

(TYPE NAME)

29.9.1994

(DATE)

Helge Neidhardt  
(SIGNATURE)

Helge NEIDHARDT

(TYPE NAME)

1. Oct. 94

(DATE)

Michael Paulista  
(SIGNATURE)

Michael PAULISTA

(TYPE NAME)

(DATE)

21.9.1994

NO LEGALIZATION REQUIRED